

Notice of Allowability

Application No.

10/615,220

Examiner

Robert J. Sandy

Applicant(s)

BISHOP, DONALD GENE

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 9/20/2004.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☒ The drawings filed on 07 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 09292004.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other approved drawing sheet.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rudolf Siegesmund (Reg. No. 37,720) on 22 October 2004.

The application has been amended as follows:

In the claims:

In **claim 2, line 1**, "first cover" has been changed to - - necktie control device - -, and - - of the first cover - - has been inserted after "front".

In **claim 3, line 1**, "second cover" has been changed to - - necktie control device - -, and in line 2, - - of the second cover - - has been inserted after "front".

In **claim 4, line 1**, "first back" has been changed to - - necktie control device - -, and - - where the first back - - has been inserted after "claim 2".

In **claim 5, line 1**, "second back" has been changed to - - necktie control device - -, and - - where the second back - - has been inserted after "claim 3".

In **claim 7, line 1**, "chain" has been changed to - - necktie control device - -, and - - where the chain - - has been inserted after "claim 6".

In **claim 8, line 1**, "first front" has been changed to - - necktie control device - -, and - - where the first front - - has been inserted after "claim 2".

In **claim 9, line 1**, "second front" has been changed to - - necktie control device - -, and "claim 2" has been changed to - - claim 3 where the second front - -.

In **claim 11, line 1**, "connector" has been changed to - - necktie control device - -.

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In **claim 12, line 1**, “first cover” has been changed to - - necktie control device - -, and “second” has been change to - - first - -.

In **claim 13, line 1**, “second cover of claim 2” has been changed to - - necktie control device of claim 3 - -.

In **claim 14, line 1**, “first back” has been changed to - - necktie control device - -, and - - where the first back - - has been inserted after “claim 2”.

In **claim 15, line 1**, “second back” has been changed to - - necktie control device - -, and “claim 2” has been change to - - claim 3 where the second back - -.

In **claim 18, line 1**, “chain” has been changed to - - necktie control device - -, and - - where the chain - - has been inserted after “claim 17”.

In **claim 19, line 1**, “first front” has been changed to - - necktie control device - -, and - - where the first front - - has been inserted after “claim 16”.

In **claim 20, line 1**, “second front” has been changed to - - necktie control device - -, and - - where the second front - - has been inserted after “claim 16”.

In **claim 22, line 1**, “connector” has been changed to - - necktie control device - -.

In **claim 23, line 1**, “first cover” has been changed to - - necktie control device - -.

In **claim 24, line 1**, “first cover” has been changed to - - necktie control device - -.

In **claim 25, line 1**, “first back” has been changed to - - necktie control device - -, and - - where the first back - - has been inserted after “claim 16”.

In **claim 26, line 1**, “second back” has been changed to - - necktie control device - -, and - - where the second back - - has been inserted after “claim 16”.

In **claim 29, line 1**, “connector” has been changed to - - necktie control device - -.

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EXAMINER'S COMMENT

The drawing sheet 1 was received on 20 September 2004, and has been approved.

The claim objections to claims 23, 24, and 27 indicated in the prior Office action mailed 29 June 2004 each have been withdrawn in view of applicant's amendment to claims 23, 24, and 27.

The rejections to claims 12 and 16-30 under 35 U.S.C. §112 indicated in the prior Office action each have been withdrawn in view of applicant's amendment to claims 12, 16 and 27.

The rejections to the claims under 35 U.S.C. §102 and §103 indicated in the prior Office action each have been withdrawn in view of applicant's amendment to claims the independent claims 1, 16, 27 and 31, and applicant's remarks on pages 2 and 3 in the response filed 20 September 2004 regarding where Sullivan ('715) does not have a rim to enclose both a side and the circumferential edge of a button, and where Juda et al. (U. S. Patent No. 6,502,284) does not have the structure to engage a group of threads that affix a button to a shirt. Therefore, claims 1-31 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 703-305-7413. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ROBERT J. SANDY
PRIMARY EXAMINER

Robert J. Sandy
Primary Examiner
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